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UBER TECHNOLOGIES, INC.  
14 and OTTOMOTTO LLC

15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,  
19 Plaintiff,  
20 v.  
21 UBER TECHNOLOGIES, INC.,  
22 OTTOMOTTO LLC; OTTO TRUCKING LLC,  
23 Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE  
YANG IN SUPPORT OF  
PLAINTIFF'S ADMINISTRATIVE  
MOTION TO FILE UNDER SEAL  
ITS MOTION TO COMPEL RE:  
TRAVIS KALANICK DEPOSITION  
(DKT. 1059)**

Trial Date: October 10, 2017

I, Michelle Yang, declare as follows:

1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this declaration based upon matters within my own personal knowledge and if called as a witness, I could and would competently testify to the matters set forth herein. I make this declaration in support of Plaintiff's Administrative Motion to File Under Seal Its Motion to Compel Re: Travis Kalanick Deposition (Dkt. 1059).

2. I have reviewed the following documents and confirmed that only the portions identified below merit sealing:

Document	Portions to Be Filed Under Seal
Exhibit 1 to Waymo's Motion to Compel	Highlighted portions
Exhibit 2 to Waymo's Motion to Compel	Highlighted portions
Exhibit 3 to Waymo's Motion to Compel	Entire Document
Exhibit 4 to Waymo's Motion to Compel	Entire Document

3. The highlighted portions of Exhibit 1 to Waymo's Motion contain highly confidential information regarding the negotiation of detailed business and financial terms of ongoing business agreements, including commercial terms, licensing terms, monetary payments, and potential valuation numbers; discussion about Uber's future market strategy, in-depth information about how Uber structures its employment agreements, technical details regarding Uber's creation of its custom LiDAR systems, confidential information regarding Uber's LiDAR vendors, prioritization of strategic business goals, and internal estimates of various commercialization timelines. This highly confidential information is not publicly known, and its confidentiality is strictly maintained. I understand that if this information were to be released to the public, Defendants' competitors and counterparties would have insight into business, financial, technical, and market strategy information of Defendants, which would allow them to tailor their own market strategy, negotiation strategy, and business negotiations, such that Uber's competitive standing could be harmed.

1           4.       The highlighted portions on pages 244, 245, and 247 of Exhibit 1 contain highly  
2 confidential information designated by Anthony Levandowski's counsel as highly confidential.  
3 Defendants take no stance on the merits of sealing this material.

4           5.       The highlighted portions of Exhibit 2 contain the email addresses of high-ranking  
5 current and former company executives, whose email accounts may still become compromised if  
6 disclosed to the public. Defendants seek to seal this information in order to protect the privacy of  
7 these current and former executives, as prominent individuals at the company are currently the  
8 subject of extensive media coverage. Disclosure of this information for such high-ranking  
9 executives could expose them to harm or harassment. The highlighted portions of Exhibit 2 also  
10 contain non-public internal telephone conference numbers and group calendar numbers. If this  
11 information were disclosed to the public, the security of Defendants' internal communications  
12 could be compromised by others. For example, persons attempting to access internal  
13 communications may try to use those non-public internal telephone conference numbers to join  
14 internal communications.

15           6.       The entirety of Exhibit 3 is a presentation to the Board of Directors regarding a  
16 business agreement, containing highly confidential details regarding the terms of an acquisition as  
17 well as other business agreement terms. The presentation contains detailed financial and  
18 commercial agreement terms, including the monetary payments, potential valuation numbers,  
19 structure and timing of a business deal, and detailed licensing terms of an ongoing business  
20 relationship. I understand that if this information were to be released to the public, Defendants'  
21 competitors and counterparties would have insight into business, financial, technical, and market  
22 strategy information of Defendants' business relationships, which would allow them to tailor their  
23 own business strategy, such that Uber's competitive standing could be harmed.

24           7.       The entirety of Exhibit 4 is the minutes of an Uber board meeting. It contains  
25 information regarding the terms of a business agreement that is identified in Exhibit 3, including  
26 the detailed financial and business terms of an ongoing business relationship, such as detailed  
27 numbers relating to stock grants. This highly confidential information is not publicly known, and  
28 its confidentiality is strictly maintained. If this information were to be released to the public,

1 Defendants' competitors and counterparties would have insight into business, financial, and  
2 market strategy information of Defendants, which would allow them to tailor their own  
3 negotiation strategy and business offers, such that Uber's competitive standing could be harmed.

4 8. Defendants' request to seal is narrowly tailored to those portions of Plaintiff's  
5 Motion that merit sealing.

6 I declare under penalty of perjury under the laws of the United States that the foregoing is  
7 true and correct. Executed this 4th day of August, 2017, at Washington, D.C.

8  
9  
10 /s/ Michelle Yang

Michelle Yang

11  
12  
13 **ATTESTATION OF E-FILED SIGNATURE**

14 I, Arturo J. González, am the ECF User whose ID and password are being used to file this  
15 Declaration. In compliance with General Order 45, X.B., I hereby attest that Michelle Yang has  
16 concurred in this filing.

17 Dated: August 4, 2017

/s/ Arturo J. González

Arturo J. González